

FILED

AUG 13 1999

KEVIN E. O'BRIEN, CLERK
UNITED STATES
BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

8-16-99
1 JOHN J. PICCIONE, ESQ.
2 Piccione, Keeley & Associates, Ltd.
3 122C South County Farm Road
4 Wheaton, IL 60187
5 630/653-8000
6 Attorney for Movant: Lauren B. Arch

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

8 In Re:
9 BCE WEST, L.P., et al.,
10 Debtors.

11 EID#38-3196719

12 LAUREN B. ARCH,

13 Movant,

14 vs.

15 B.C. GREAT LAKES, L.L.C. d/b/a
16 BOSTON MARKET RESTAURANT,
17 STORE NO. 419,

18 Respondent.

Chapter 11

Case Nos. 98-12547
through 98-12570 ECF CGC
Jointly Administered

EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, WHEATON,
ILLINOIS

Case No. 98 SC 5192

**ORDER GRANTING RELIEF
FROM THE AUTOMATIC STAY
(Lauren B. Arch)**

19 Came on for consideration the Motion for Relief from the automatic Stay (the
20 "Motion) filed by Lauren B. Arch, as defined in the Motion. The Court finds that proper
21 notice of the Motion has been given, and after considering the pleadings, it is therefore

10/9
22
23 ORDERED that the automatic stay, in effect as a result of section 362(a) of the Bankruptcy
24 Code, is terminated for the sole purpose of permitting Lauren B. Arch, plaintiff ("Plaintiff"),
25 in the personal injury lawsuit styled *Lauren B. Arch v. B.C. Great Lakes, L.L.C., d/b/a*
26 *Boston Market Restaurant, Store No. 419*, Case No. 98 SC 5192, in the Eighteenth
27 Judicial Circuit, DuPage County, Wheaton, Illinois ("Lawsuit") to proceed with the Lawsuit

28
1 Counsel for Movant is to serve a copy of this
Order immediately upon Debtor's Counsel
and the Trustee, as applicable. *Kevin E. O'Brien*

1 to the extent of the liability coverage provided by the liability insurance policy which was in
2 effect at the time of the alleged incident. It is further

3
4 ORDERED that any and all relief, judgment, or verdict against any of the Debtors in these
5 Chapter 11 cases shall be satisfied from insurance proceeds only. Any and all remaining
6 claims against Debtors not covered by liability insurance shall not be allowed in these
7 Chapter 11 cases and are dismissed with prejudice.

8
9 DATED: August 13, 1999

10
11 
12 CHARLES G. CASE, II
UNITED STATES BANKRUPTCY JUDGE

13 AGREED AS TO FORM AND CONTENT:

14 DEBTORS AND DEBTORS IN POSSESSION:

15 BY: 
16 One of their Attorneys


17
18 H. Rey Stoube, III
Akin, Gump, Strauss, Hauer & Feld, L.L.P.
711 Louisiana, Suite 1900
19 Houston, TX 77002
(713) 220-5800
20 (713) 236-0822 (fax)

21 and

22 Randolph J. Haines
Lewis & Roca, L.L.P.
23 40 North Central Avenue
Phoenix, AZ 85004-4429
24 (602) 262-5764
25 (602) 262-5747 (fax)

1 LAUREN B. ARCH

2 by:


JOHN J. PICCIONE, ESQ.
Piccione, Keeley & Associates, Ltd.
1220 South County Farm Road
Wheaton, IL 60187
630/653-8000

5 Attorney for Movant: Lauren B. Arch

6 J:\COLLECT\ARCH\ORDER.AZT.J:5/6/29/98:7w7/6/99ty